

REMARKS/ARGUMENTS

Claims 1-16 are pending in this application. By this Amendment, claims 1, 4-5 and 8 are amended, and claims 11-16 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

A. The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph. Claims 2-4 are rejected due to their dependence on rejected claim 1. The rejection is respectfully traversed.

Applicants respectfully submit that in one embodiment according to the present invention, a public key is used to encrypt a media key that is used to encrypt a media data set (and to encrypt a portion of media certificate). The public key is originated from the compliant playback device. Then, the media data set can only be played back by a playback device with the valid private key corresponding to the public key of the playback device. Further, Applicants respectfully submit that the same public key or a current public key can be used to encrypt previous or old private keys. Thus, Applicants respectfully submit that claims 1-4 are definite. Withdrawal of the rejection of claims 1- 4 under 35 U.S.C. §112 is respectfully requested.

B. The Office Action rejects claims 1, 5 and 9-10 under 35 U.S.C. §103(a) over U.S. Patent No. 6,550,011 to Sims, III (hereafter "Sims") and U.S. Patent No. 6,367,019 to

Ansell et al. (hereafter "Ansell"). The Office Action also rejects claims 2-4 and 6-8 under 35 U.S.C. §103(a) over Sims, Ansell and U.S. Patent No. 6,044,462 to Zubeldia et al. (hereafter "Zubeldia"). Since the references, individually or in combination, fail to disclose or suggest features recited in the claims, the rejections are respectfully traversed.

As required under §103, Applicants respectfully submit that Sims, Ansell and Zubeldia, individually or in combination, would not result in at least features of a copy protection method or a copy protection system for digital media and combinations thereof as variously recited. For example, Sims does not teach or suggest "a media certificate, said media certificate being required to recognize a valid private key among a plurality of private keys stored in said playing device and including a private-key identification and media identification of said playing device, said private-key identification being generated by encrypting the media identification with said public key of said playing device" as recited claim 1, and other features recited in claim 1 in combination with the media certificate. Also, Sims does not teach or suggest "said media certificate is required to recognize the actual private key among a plurality of private keys stored in said playing device" as recited by claim 5, and other features recited in claim 5 in combination with the media certificate.

Applicants respectfully submits that Ansell does not teach or suggest at least

features of a media certificate and combinations thereof as variously recited in independent claims 1 and 5 and lacking from Sims. In contrast, Applicants respectfully submits that Ansell appears to disclose a header associated with media data that includes key identification, however, Applicants respectfully submits that Ansell does not teach or suggest that the header including key identification is required to recognize an actual private key among a plurality of private keys stored in a playing device. See column 5, line 40-column 6, line 65 and Figures 3-4 of Ansell.

Applicants respectfully submits that Zubeldia does not teach or suggest at least features of a media certificate and combinations thereof as variously recited in independent claims 1 and 5 and lacking from Sims and Ansell. Further, Further, Applicants respectfully submits that Zubeldia, Sims and Ansell do not teach or suggest any modification to their disclosure that would result in at least features of a media certificate and combinations thereof as variously recited in independent claims 1 and 5.

For at least the reasons set forth above, Applicants respectfully submit that claims 1 and 5 define patentable subject matter. Dependent claims 2-4 and 6-10 are allowable for at least the reasons discussed above with respect to independent claims 1 and 5, from which they depend, as well as for their additionally recited features. Withdrawal of the rejection of claims 1-10 under 35 U.S.C. §103 is respectfully requested.

C. Claims 11-16 are newly added by this amendment and are believed to be in condition for allowance.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carl R. Wesolowski, at the telephone number listed below.

Serial No. 10/061,363
Reply to Office Action of June 29, 2005

Docket No. CIT/K-0137

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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